

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Andrzej Madej

Docket Number: 08-00491-001

PACTS Number: 45212

Name of Sentencing Judicial Officer: HONORABLE JOANNA SEYBERT, USDJ (ED/NY)

Name of Assigned Judicial Officer: HONORABLE STANLEY R. CHESLER, USDJ (D/NJ)

Date of Original Sentence: 06/11/2007

Original Offense: CONSPIRACY TO DEFRAUD THE UNITED STATES

Original Sentence: Seven months imprisonment; three years supervised release; \$49,720.65 in restitution; \$100 special assessment.

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/30/07

Assistant U.S. Attorney: John Clabby, 970 Broad Street, Room 502 Newark, New Jersey 07102,
(973) 645-2700

Defense Attorney: Candace Hom, Federal Public Defender, 1002 Broad Street, Newark, New Jersey 07102,
(973) 645-6347

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the mandatory supervision condition which states 'You shall not commit another federal, state, or local crime.'

On October 1, 2010, Madej was arrested in Clifton, New Jersey, for driving while intoxicated. The investigation report indicates police were dispatched to 470 Piaget Avenue, Clifton, New Jersey, to investigate a report of an individual sleeping in a vehicle. When police arrived, they observed Madej asleep in a 2001 Nissan Maxima, Florida tag X219WW, registered to Zbigniew Grel. The vehicle was up against another parked vehicle and was running. Police awoke Madej and asked him to step out of the vehicle. They observed a partially consumed bottle of Corona beer in the cup holder and Madej admitted that he had consumed some alcohol. Officers attempted a field sobriety test; however,

Madej was unable to perform the test without using the vehicle for balance. He was subsequently arrested and the vehicle was impounded. An alcotest performed at the police station registered a 0.13% blood alcohol level.

At the time of arrest, Madej provided false information concerning his identity. Specifically, he provided a Maine driver's license bearing his photograph in the name Marcin Dlugosz, DOB: 06/20/70, SS: 072-90-2694.

This case remains pending at the Clifton Municipal Court. Please note that if convicted, this will represent Madej's fifth conviction for driving while intoxicated. The Clifton Municipal Court prosecutor, Tom Brunt, advised there is a mandatory prison term of six months, \$1,000 fine and loss of driving privileges for ten years.

- 2 The offender has violated the standard supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

Madej did not report the October 1, 2010, arrest to the probation officer as required.

- 3 The offender has violated the mandatory supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On October 23, 2010, Madej was arrested for simple assault in Clifton, New Jersey. The police report indicates that on October 17, 2010, Madej's step-daughter, Justyna Wolanin, contacted police after he allegedly slapped her. Wolanin stated to police that Madej and a friend had been drinking all day and he became enraged when she asked his friend (name not specified in the report) to leave the home. Madej left the residence when he overheard Wolanin on the telephone with police; he was arrested on the aforementioned date.

This case remains pending at the Clifton Municipal Court.

- 4 The offender has violated the mandatory supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On November 19, 2010, Madej was arrested in Clifton, New Jersey, for driving while intoxicated. The police report indicates Madej was asleep at the wheel on Highway 46 West. When police asked Madej why he was there, he stated "the road is a good place to sleep." Police then questioned whether he was sick or injured and Madej responded, "I'm good, I'm just relaxing." Police observed that Madej's eyes were watery and bloodshot and they subsequently attempted a field sobriety test; however, he could not keep his balance. When questioned, Madej admitted to consuming beer; he was then arrested. An alcotest performed at the police station registered a 0.17% blood alcohol level.

This case remains pending at the Clifton Municipal Court. Please note that if convicted, this will represent Madej's sixth conviction for driving while intoxicated. The Clifton Municipal Court prosecutor, Tom Brunt, advised there is a mandatory prison term of six months, \$1,000 fine and loss of driving privileges for ten years.

- 5 The offender has violated the mandatory supervision condition which states **'You shall not commit another federal, state, or local crime.'**

On November 19, 2010, Madej was charged with hindering apprehension. This stems from his arrest on October 1, 2010, for driving while intoxicated when he provided police false information concerning his identity. This case remains pending at the Clifton Municipal Court.

- 6 The offender has violated the standard supervision condition which states **'You shall not leave the judicial district without the permission of the Court or Probation Officer.'**

On July 21, 2008, Madej traveled to Maine without authorization for the purpose of committing an aggravated felony (see violation number seven).

- 7 The offender has violated the mandatory supervision condition which states **'You shall not commit another federal, state, or local crime.'**

According to information received from the Maine Bureau of Motor Vehicles, on July 21, 2008, Madej fraudulently obtained a license in that state. Specifically, Madej obtained a license in the name Marcin Dlugosz, with a date of birth of June 20, 1970, and a social security number of 072-90-2694. Their records indicate that he utilized a Florida license.

According to an investigator with the Bureau of Motor Vehicles, Madej committed the offense of Aggravated Forgery, a violation of 17A MRSA Sub 702-1D, a class B felony (up to ten years imprisonment and/or a \$20,000 fine).

- 8 The offender has violated the standard supervision condition which states **'You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.'**

On October 20, 2009, in Garfield, New Jersey, Madej was issued a citation for careless driving (in the name Marcin Dlugosz). On November 9, 2009, he was convicted of that offense.

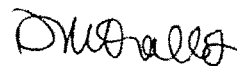
Madej failed to report this police contact.

9

The offender has violated the standard supervision condition which states 'As a condition of supervision, you are instructed to pay restitution in the amount of \$49,720.65 to Motors Insurance Corp, GMAC Insurance Holdings, Inc., 300 Galleria Officentre, Southfield, MI; it shall be paid in the following manner: 25% of net disposable income.'

Since the commencement of supervision, Madej has remitted only \$275 toward restitution. The outstanding balance is \$56,921.99 (with interest accumulation).

I declare under penalty of perjury that the foregoing is true and correct.




By: Denise Morales
U.S. Probation Officer
Date: 12/8/10

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THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☒ The Issuance of a Summons. Date of Hearing: 12/21/2010 @ 9:30
☐ No Action
☐ Other


Signature of Judicial Officer

12/3/10
Date